W.P. No. 1538 of 2007 (S/S)
With
Int. Relief App.No. Nil / 07

Hon'ble P.C. Pant, J.

Heard Mr. Shobhit Saharia, learned counsel for the petitioner, Mr. N.S. Pundir, learned counsel for respondents No. 1 and 2 Mrs. Bina Pande, learned Standing Counsel for the State of U.P. appearing on behalf of respondent No. 3.

By means of this writ petition, the petitioner has sought writ in the nature of certiorari quashing the order dated 16.08.1986, passed by respondent No. 2, and order dated 19.072007, passed by respondent No. 1.

The petitioner, who was a conductor, appears to have faced a departmental enquiry way back in the year 1985-86. The charge against him was that during checking he was found carrying 16 passengers without tickets in Bus No. UTL / 7591 on 11.03.1986 on Laksar – Haridwar road. Charge sheet appears to have been served on the petitioner and he replied the same. Evidence also appears to have been recorded. The order removing the petitioner from service, which is alleged to be of 16.08.1986, is not filed with the writ petition. Learned counsel for the petitioner submitted that no written order was served on the petitioner.

It appears that a Writ Petition No. 641 of 1987 was filed by the petitioner before the Allahabad High Court, which was disposed of vide order dated 16.09.1988, directing the petitioner to seek alternative remedy available to him.

There is no explanation as to why petitioner slept over for a period from 1988 to 2004. Only in the year 2006 he made a representation as an appeal to respondent No. 1 against his termination order, and the same was dismissed vide impugned order dated 19th July 2007.

Having heard learned counsel for the parties and after perusing the papers on record, this Court does not find any force in the writ petition. Accordingly, the writ petition is dismissed, in limine.

(Interim Relief Application also stands dismissed).

(P.C.P., J.)
27.10.2007

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